

MEETING MINUTES, PLANNING COMMISSION, JUNE 25, 2007

Present: Phil Tinkle, Duane O'Neal, Bruce Armstrong, Jerry Ott, Tom McClain, Tom Bridges, Trent Pohlar, Bettina Settles, Carmen Madsen, Ed Ferguson, Planning Director; Shawna Koons-Davis, City Attorney; Janice Nix, Recording Secretary

The meeting was called to order at 7:00 p.m. by Trent Pohlar, President.

PREVIOUS MINUTES

June 11th – Tinkle moved to approve the minutes as mailed, seconded by Madsen. Vote for **approval** was unanimous, 8-0. **Motion carried.**

NEW BUSINESS – PUBLIC HEARINGS

Docket PC2007-036 – Primary Plat – Greenwood Trace, Section 2 – proposed single family subdivision consisting of 34 lots – 8.008 acres zoned R-2B Residential – located south of Pushville Rd., on the east side of S. U.S. 31 – Indiana Land Development, applicant; KOE Engineering representing.

Joe Meyer, KOE Engineering, came forward and was sworn. This property was recently rezoned from commercial to R-2B in order to develop this section as single-family residential. The proposed plat was presented for the Commission's review. All recommendations of the Tech Committee will be met.

Meyer addressed proposed drainage for this section. A letter has been received from adjacent property owner Glen Lightner expressing concern about drainage in the area. Meyer assured the Commission that drainage is being addressed as per ordinance requirements and he hopes to help Mr. Lightner's drainage problems. Once this drainage system and detention pond are completed there will be less surface drainage onto the Lightner property. There are additional lands to the E-NE that drain onto the Lightner property however. So this will not cure everything, but there will be improvement to the current conditions.

Settles moved to approve PC2007-036, subject to the recommendations of the Tech Committee being met, seconded by Tinkle. Vote for **approval** was unanimous, 8-0. **Motion carried.**

Docket PC2007-039 – Text Amendment – Flood Hazard Regulations – proposed ordinance amendment to adopt the State of Indiana Model Ordinance for Flood Hazard Areas – Greenwood Advisory Plan Commission, petitioner.

Commission member Ott arrived at this time.

Planning Director Ed Ferguson was sworn. He gave a brief presentation and background as to how this ordinance came about. Final flood maps have been received and will be effective in the near future. The ordinance amendment is needed to support the new ordinance proposed by the state.

City Attorney Shawna Koons-Davis noted the following amendments that need to be made to the proposed ordinance:

- a) Page 13, fourth paragraph: change word "distraction" to "district"
- b) Page 21, Section 6.14.08 H. "Standards for AO Zones" by deleting it in its entirety.
- c) Page 23, Section 6.14.09 G. "Special Conditions" section line by deleting "Article 6" and replacing with "Subsection 16.14.09"
- d) Page 41, Section 6.14.06 General Provision. B) (2) by deleting it in its entirety and renumbering (3) to (2)
- e) Page 42, Paragraph I) Penalties for Violation. In the fourth paragraph of section by changing the word "distraction" to "district"
- f) Page 44, Section 6.14.07 Administration C) (3), third line, by deleting "Article 5, Section E and G (1)" and replacing with "Subsection 16.14.08 E) and G) (1)".

- g) Page 49, Section 6.14.08 Provisions for Flood Hazard Reduction. E) Standards for Identified Floodways., first paragraph, second line, by deleting "Article 3, Section B" and replacing with "Subsection 16.14.06, B)."
- h) Page 49, Section 6.14.08 Provisions for Flood Hazard Reduction. E) Standards for Identified Floodways., second paragraph, sixth line, by deleting "Article 5" and replacing with "Subsection 16.14.08."
- i) Page 50, Section 6.14.08 Provisions for Flood Hazard Reduction. H) Standards for AO Zones. deleting it in its entirety.

Ott moved to approve amendments to proposed ordinance, as listed above, seconded by Settles. Vote for **approval** was unanimous, 9-0. **Motion carried.**

O'Neal moved that the petition to amend the Text of the Greenwood Zoning Ordinance No. 82-1, to repeal Common Council Ordinance Nos. 90-14 and 92-53, regarding Flood Hazard Districts requirements; to amend text of Common Council Ordinance No. 02-10, Definitions and Greenwood Municipal Code (1993) as amended, Chapter 10, Articles 6, Section 10-98, Flood Hazard District Requirements; Article 22, Section 10-540, Definitions, to bring the Flood Hazard District of Greenwood in Compliance with Federal Regulations and National Flood Insurance Property Criteria, as set forth therein, and as amended tonight, receive a **favorable** recommendation from this Commission to the Greenwood Common Council and that the same be certified to the Greenwood Common Council in the form presented, seconded by Tinkle. Vote for **approval** was unanimous, 9-0. **Motion carried.**

Docket PC2007-040 – Text Amendment – proposed ordinance amendments to Zoning and Subdivision Ordinances regarding accessory bldgs. and subdivision covenants and architectural review committees – Greenwood Advisory Plan Commission, petitioner.

Planning Director Ed Ferguson and members of the audience were sworn. He gave presentation on the two topics within the proposed amendments.

First he discussed accessory buildings. Accessory buildings will be split into 3 different classes. He reviewed the various classes and background on how these classifications were arrived at. He also discussed type of materials used in construction of the accessory buildings and required setbacks of such buildings.

Secondly he discussed subdivision covenants. Architectural control committees will be recognized when reviewing plans for building permits for accessory buildings.

John Grant, 876 Briarwood Dr., Grwd, came forward. He spoke as a representative of neighbors in the Briarwood Subdivision. They support the proposed amendments.

O'Neal spoke. He stated he feels covenants are for the individual homeowners to enforce, not the city. Ferguson pointed out that the city has recognized the architectural control committees in various subdivisions for many years.

O'Neal moved to amend the proposed ordinance by striking the word "approve" and inserting the words "to affirm notice" in all areas which address requiring approval by the architectural control committee of a subdivision prior to issuing a building permit, seconded by Tinkle. Vote for **approval** was unanimous, 9-0. **Motion carried.**

Armstrong moved to amend 6.02.06.01 (d) to insert the words "2/3 of" prior to "the ground level area", seconded by Tinkle. Vote for **approval** was unanimous, 9-0. **Motion carried.**

Madsen moved that the petition to amend the Texts of the Greenwood Zoning Ordinance No. 82-1, Zoning, and 02-12, Subdivision Control and Land Development; and the Greenwood Municipal Code (1993), as amended, Chapter 10, Articles 5, Schedule of District Regulations; Article 6, Section 10-86,

Subsection 6.02.06, Article 8, Section 10-129, Subsection 9.02.02; and Section 10-130, Subsection 9.03.05; and Article 20, Division II, Section 10-502 and Division V, Section 10-511, Subsection 20.11.09, to modify Accessory Building requirements, to clarify Plan Commission authority to delegate site plan approval, and to clarify the role of the Plan Commission regarding enforcement of subdivision covenants as amended, as set forth therein, receive a **favorable** recommendation from this Commission to the Greenwood Common Council and that the same be certified to the Greenwood Common Council in the form presented, seconded by Settles. Vote for **approval** was unanimous, 9-0. **Motion carried.**

ANNOUNCEMENTS/REPORTS

Mr. Ferguson asked the members to make a motion approving the meeting schedule for the Comp Plan Committees he distributed this evening. Ott moved to approve the meeting schedule as presented, seconded by Tinkle. Vote for **approval** was unanimous, 9-0. **Motion carried.**

I-65 Overlay meeting was set for Wednesday, July 11, 2007 @ 6:00 p.m. in the 1st floor conference room, Greenwood City Building.

O'Neal moved to adjourn, seconded by McClain. Meeting was adjourned at 8:05 p.m.

JANICE NIX
Recording Secretary

TRENT POHLAR
President